

Service Date: December 5, 1989

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER of Northwestern	)	UTILITY DIVISION
Telephone Systems' Request to	)	DOCKET NO. 89.9.31
Restrict Feature Group A Access .	)	ORDER NO. 5440

FINAL ORDER

FINDINGS OF FACT

On September 8, 1989 Northwestern Telephone Systems (NTS or Company) filed tariffs requesting restrictions to Feature Group A (FGA) access. Currently, NTS does not restrict access to FGA access.

NWTS requests that the Commission approve tariff language restricting Feature Group A access as follows: When provided as a part of MTS/WATS type service, FGA will be available to interexchange carriers only for their use in providing dial access services.

The Commission has addressed carrier access restrictions in prior orders. In Order No. 5055g, Docket No. 84.4.1, the Commission found:

Mountain Bell proposes that carrier access services be limited to interLATA FS or Off Network Access Line (ONAL) services... The MPSC finds restricting carrier access services to carriers, resellers, and interLATA FX/ONAL subscribers unreasonable and unnecessary. All carrier access rates are above the incremental costs of those services... In fact, allowing large customers to subscribe to access services may keep customers that

would otherwise bypass LEC network on the system thereby keeping some contribution to common costs that would be lost in a facility bypass situation. (Order No. 5055g, FOF 89)

The Commission continues to subscribe to the policy expressed above in Order No. 5055g. NTS has not supported this tariff filing with any justification or reason for restricting access to FGA. The Commission therefore has no basis upon which to reconsider its policy in this area.

#### CONCLUSIONS OF LAW

NTS provides regulated telecommunications services within the state of Montana and is a public utility under the regulatory jurisdiction of the MPSC. §§ 69-3-101, 69-3-803(3), MCA.

The MPSC is invested with full power of supervision, regulation and control of public utilities. §69-3-102, MCA.

The MPSC has provided adequate public notice and an opportunity to be heard herein, pursuant to the Montana Administrative Procedure Act and Title 69, MCA.

#### ORDER

1. The Commission hereby DENIES NTS' request to restrict access to Feature Group A access.
2. This docket is closed.

Done and Dated this 4th day of December, 1989 by a 5-0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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CLYDE JARVIS, Chairman

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HOWARD L. ELLIS, Vice Chairman

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JOHN B. DRISCOLL, Commissioner

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WALLACE W. "WALLY" MERCER, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Ann Peck  
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days. See ARM 38.2.4806.